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16 **UNITED STATES DISTRICT COURT**
17 **SOUTHERN DISTRICT OF CALIFORNIA**

18
19 e.Digital Corporation,

20 Plaintiff,

21 v.

22 Fusion-io, Inc.,

23 Defendant.

Case No. 3:13-cv-2901-H-BGS

**JOINT MOTION FOR VOLUNTARY
DISMISSAL OF ALL CLAIMS**

**Assigned to the Honorable
Judge Marilyn L. Huff**

Courtroom 15A (Annex)

1 TO THE CLERK OF THE UNITED STATES DISTRICT COURT FOR
2 THE SOUTHERN DISTRICT OF CALIFORNIA:

3 Plaintiff and Counter-Defendant e.Digital Corporation (“e.Digital” or
4 “Plaintiff”); and Defendant and Counterclaimant Fusion-io, Inc. (“Fusion-io” or
5 “Defendant”) by their undersigned counsel, hereby present this joint stipulation
6 and notice of dismissal.

7 Plaintiff and the Defendant are collectively referred to hereafter as “the
8 Parties.” The Parties stipulate and provide notice as follows:

9 Plaintiff and Defendant have reached an agreement on a settlement of all
10 claims brought in this action. Defendant Fusion-io has asserted counterclaims
11 against e.Digital Corporation in this matter.

12 On the basis of the settlement reached, the Parties hereby stipulate and agree
13 as follows:

- 14 1) Plaintiff and Counter-Defendant e.Digital Corporation hereby
15 voluntarily dismisses all claims brought in this matter against
16 Defendant and Counterclaimant Fusion-io, Inc. WITH PREJUDICE;
- 17 2) Defendant and Counterclaimant Fusion-io, Inc. hereby voluntarily
18 dismisses all of its counterclaims claims brought in this matter against
19 Plaintiff and Counter-Defendant e.Digital Corporation WITH
20 PREJUDICE; and,
- 21 3) Each party shall bear its own costs and attorneys’ fees.

22 Thus, it is thereby respectfully requested, in accordance with Federal Rules
23 of Civil procedure 41(a)(1)-(2), that the Court enter an order as follows:

- 24 1) Plaintiff and Counter-Defendant e.Digital Corporation’s claims made
25 in this matter against Fusion-io, Inc. are dismissed WITH
26 PREJUDICE;
- 27 2) Defendant and Counterclaimant Fusion-io, Inc.’s counterclaims made
28 against Plaintiff and Counterclaimant e.Digital Corporation are

1 dismissed WITH PREJUDICE; and,

2 3) Each party shall bear its own costs and attorneys' fees.

3 Pursuant to Local Civil Rule 7.2, the parties hereto will separately submit a
4 Proposed Order granting the relief requested.

5
6 **HANDAL & ASSOCIATES**

7 Dated: July 7, 2014

By: /s/Pamela C. Chalk
Anton N. Handal
Pamela C. Chalk
Gabriel G. Hedrick
Attorneys for Plaintiff
And Counter-Defendant
e.Digital Corporation

11
12 **WILSON SONSINIGOODRICH& ROSATI**

13 Dated: July 7, 2014

By: /s/James C. Yoon
James C. Yoon
Ryan R. Smith
Robert R. Cleary, Jr.
Attorneys for Defendant
And Counterclaimant
Fusion-io, Inc.

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18
19 **ATTESTATION OF E-FILED SIGNATURE**

20 Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative Policies
21 and Procedures Manual, I, Pamela c. Chalk, attest that James C. Yoon, signatory,
22 has read and approved the foregoing and consents to its filing in this action.

23 By /s/Pamela C. Chalk

24 Pamela C. Chalk

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document has been served on this date to all counsel of record, if any to date, who are deemed to have consented to electronic service via the Court's CM/ECF system per CivLR 5.4(d). Any other counsel of record will be served by electronic mail, facsimile and/or overnight delivery upon their appearance in this matter.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct. Executed this 7th day of July, 2014 at San Diego, California.

HANDAL & ASSOCIATES

Dated: July 7, 2014

By: /s/Pamela C. Chalk
Anton N. Handal
Pamela C. Chalk
Gabriel G. Hedrick
Attorneys for Plaintiff
And Counter-Defendant
e.Digital Corporation